

## MEMORANDUM

Agenda Item No. 11(A)(15)

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**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

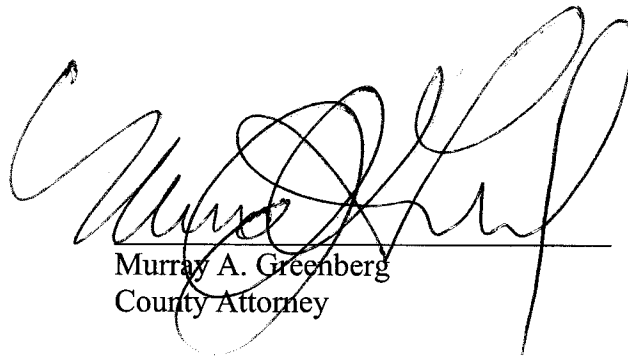
**DATE:** May 9, 2005

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Resolution relating to  
convening an advisory group  
to develop public safety  
and aesthetic goals and  
recommendations for  
regulating public sidewalks,  
including the regulation of  
newsracks

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Carlos A. Gimenez, Commissioner Audrey M. Edmonson and Commissioner Barbara J. Jordan.



Murray A. Greenberg  
County Attorney

MAG/jls



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Joe A. Martinez  
and Members, Board of County Commissioners

**DATE:** May 9, 2006

**FROM:** Murray A. Greenberg  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(15)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(15)  
5-9-06

RESOLUTION NO. \_\_\_\_\_

RESOLUTION DIRECTING THE COUNTY MANAGER TO  
CONVENE AN ADVISORY GROUP AND TO DEVELOP  
PUBLIC SAFETY AND AESTHETIC GOALS AND  
RECOMMENDATIONS FOR REGULATING PUBLIC  
SIDEWALKS, INCLUDING THE REGULATION OF  
NEWSRACKS AND SIMILAR DEVICES

**WHEREAS**, a community's aesthetics play a vital role in the quality of life of its residents, in the community's desirability as a tourist destination, in the competitive advantage in attracting and retaining a superior workforce, and in the enhancement of property values; and

**WHEREAS**, this Board has long taken the lead in fostering community aesthetics, including, among many other efforts, the appointment of a Community Image Advisory Board, which is charged to study and report on beautification of public places, roads, bridges, and transportation gateways, through means such as elimination of litter and trash, standardization of color schemes, design, and landscaping improvement; and

**WHEREAS**, this Board annually expends substantial sums to enhance the image and beauty of this community, including sums to fund art in public places; and

**WHEREAS**, this Board has undertaken recent new initiatives to enhance the beauty and image of Miami-Dade County, including creation of the position of Community Image Manager; and

**WHEREAS**, through its code of ordinances, this Board has also acted consistently to protect the public right-of-way, including roads, throughways and sidewalks, by keeping the right-of-way clear of obstructions and clutter, so as to enhance safety and the ability of the public to use the right-of-way freely, as well as to preserve and enhance aesthetics; and

**WHEREAS**, this Board is of the view that, as a part of the initiatives aimed toward improving the aesthetics and safety of the community's roads, sidewalks and other rights-of-way, it is appropriate and timely to review and improve the provisions of the Code of Miami-Dade County relating to public sidewalks, including regulations governing placement and appearance of newsracks and similar distribution devices; and

**WHEREAS**, as an integral part of the process of reviewing and improving the regulations governing public sidewalks, this Board desires to seek the knowledge and experience of owners and operators of newsracks and similar distribution devices, publishers of materials distributed from newsracks and similar devices, public employees and officials responsible for the upkeep and maintenance of the community's sidewalks, representatives of businesses and neighborhoods affected by such matters, and persons with an appreciation and understanding of the desired aesthetic image of Miami-Dade County; and

**WHEREAS**, this Board wishes to direct the County Manager to convene an appropriate advisory group of such persons, to inform him of the best approach for reviewing and improving the regulations governing the sidewalks of Miami-Dade County, and upon obtaining that information, to propose appropriate goals for public safety and aesthetics, as well as implementing revisions to current regulations,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby directs the County Manager to convene an advisory group as described herein, to advise him on appropriate goals for public safety and improved aesthetics for the sidewalks of Miami-Dade County, and with that advisory group to develop and propose to this Board new regulations governing, among other things, the placement and appearance of newsracks and similar devices

on the public sidewalks of Miami-Dade County. Recommendations for revised regulations shall be submitted to this Board on or before July 18, 2006.

The foregoing resolution was sponsored by Commissioner Carlos A. Gimenez, Commissioner Audrey M. Edmonson and Commissioner Barbara J. Jordan and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Jose "Pepe" Diaz
Audrey M. Edmonson	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrian D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 9<sup>th</sup> day of May, 2006. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.



Joni Armstrong Coffey